


<b>Application Number</b> 	<b>Application/Control No.</b> 10/737,267	<b>Applicant(s)/Patent under Reexamination</b> BERTHON-JONES, MICHAEL
<b>Document Code - DISQ</b>		<b>Internal Document – DO NOT MAIL</b>

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Date Filed : 08/24/07	This patent is subject to a Terminal Disclaimer	REASONS:

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**TERMINAL DISCLAIMER TO OBIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
3869/020 Con V

In re Application of: Michael Berthon-Jones

Application No.: 10/737,267

Filed: December 15, 2003

For: DETERMINATION OF POTENCY OF THE AIRWAY

The owner\*, RESMED LIMITED, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 5,704,345 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 20,639

  
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August 24, 2007

Date

Michael I. Rackman

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KCM  
8/24/07